

David R. Markham (SBN 071814)
dmarkham@markham-law.com
Maggie Realin (SBN 263639)
mrealin@markham-law.com
Lisa Brevard (SBN 323391)
lbrevard@markham-law.com
THE MARKHAM LAW FIRM
8910 University Center Lane, Suite 400
San Diego, California 92122
Tel.: (619) 399-3995
Fax: (619) 615-2067

RICHARD E. QUINTILONE II (SBN 200995)
JEFFREY T. GREEN (SBN 330065)
QUINTILONE & ASSOCIATES
22974 El Toro Road, Suite 100
Lake Forest, CA 92630
Tel.: (949) 458-9675
Fax: (949) 458-9679
Email: *req@quintlawn.com; jtg@quintlawn.com*
Attorneys for Plaintiffs Andrea Harrison, Kiarash
Kaffishahsavar and Kimberly Jaco and the Putative
Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANDREA HARRISON, KIARASH
KAFFISHAHSAVAR, KIMBERLY JACO,
and MIGUEL MENDOZA, individually, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

BANK OF AMERICA, N.A., a business
entity, form unknown; and DOES 1 through
10, inclusive,

Defendants.

Stanley D. Saltzman, Esq. (SBN 90058)
Tatiana G. Avakian, Esq. (SBN 298970)
MARLIN & SALTZMAN, LLP
29800 Agoura Road, Suite 210
Agoura Hills, California 91301
Telephone: (818) 991-8080
Fax: (818) 991-8081
ssaltzman@marlinsaltzman.com
tavakian@marlinsaltzman.com

Attorneys for Plaintiff Miguel Mendoza
and the Putative Class

Case Nos. **3:19-cv-00316-LB**
 3:19-cv-02491-LB
 4:20-cv-02119-YGR

CLASS ACTION

**[Assigned for all purposes to the Hon.
Laurel Beeler, Courtroom B – 15th Floor]**

**PLAINTIFFS' NOTICE OF MOTION
FOR FINAL ORDER AND JUDGMENT
APPROVING CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT**

Date: October 28, 2021
Time: 9:30 a.m.
Judge: Hon. Laurel Beeler
Courtroom: B, 15th Floor

Trial Date: None Set

1 **TO: ALL PARTIES HEREIN AND TO THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that on October 28, 2021, at 9:30 a.m., or as soon thereafter as
3 the matter can be heard in Courtroom B in the above titled courthouse located at 450 Golden Gate
4 Avenue, San Francisco, California, Plaintiffs Andrea Harrison, Kiarash Kaffishahsavar, Kimberly
5 Jaco, and Miguel Mendoza, on their own behalf, and on behalf of the proposed Class, will move
6 for final judgment and order approving the class and representative action settlement.

7 This Motion shall be based upon this Notice of Motion, the accompanying Memorandum
8 of Points and Authorities, the declarations of Plaintiffs and Plaintiffs' counsel submitted in support
9 of Plaintiffs' motion for attorneys' fees and costs and Class Representatives' Enhancement Awards,
10 filed on July 29, 2021 (*Harrison* Dkt. No. 80), declarations of Plaintiffs' counsel submitted in
11 support of the preliminary approval motion (*Mendoza* Dkt. 74-1); the supplemental declarations of
12 David R. Markham and the Settlement Administrator, the proposed order, and upon such further
13 evidence, both documentary and oral, as may be presented at the hearing of this motion.

14 This Motion will be heard concurrently with Plaintiffs' motion for approval of attorneys'
15 fees and costs and Plaintiffs' enhancement awards, filed on July 29, 2021, and by these Motions,
16 Plaintiffs will seek that the Court:

- 17 (a) determine whether the proposed Settlement should be finally approved by the Court as
18 fair, reasonable and adequate;
- 19 (b) determine the reasonableness of Class Counsel's request for attorneys' fees and costs;
- 20 (c) determine the reasonableness of the Class Representative Enhancement Awards
21 requested for the Class Representatives;
- 22 (d) order entry of Judgment in the Class Action, which shall constitute a complete release
23 and bar with respect to the Released Claims as described in paragraph 43 of the
24 Settlement Agreement.

25 Dated: September 23, 2021

26 Respectfully submitted,

27 s/ David R. Markham

28 Attorney for Plaintiff and Class

E-mail: dmarkham@markham-law.com